



SCOPE OF SERVICES

Solicitation Number: CLMP309

Project Name: 2021 Brownfields Environmental Services Rotation List

PROJECT FOR:

CITY OF AUSTIN, AUSTIN RESOURCE RECOVERY THROUGH ITS CAPITAL CONTRACTING OFFICE

PROJECT TITLE:

2021 BROWNFIELDS ENVIRONMENTAL SERVICES ROTATION LIST

OBJECTIVES OF THE ROTATION LIST:

The objective of this rotation list is to provide professional environmental engineering and consulting services for the City of Austin to address known and unknown existing environmental concerns at City facilities and properties in which the City has an interest, any City-funded projects, any future environmental concerns that may arise on City-funded projects, and at properties where applicants to the Brownfields Revitalization Office have requested grant-eligible services for projects The City anticipates selecting approximately five (5) firms

BACKGROUND:

The City, through the Brownfields Revitalization Office, currently has rotation list agreements with three (3) firms to provide Professional Environmental Services. The total maximum authorization for the rotation list is \$1,200,000. The 2017 Brownfields Environmental Services Rotation List has issued 97 assignments at an average of \$10,421.26 per assignment, with the largest at \$96,028.63. It is anticipated that the contracting authority for the existing rotation list will be exhausted in the near future.

CONTRACT ESTIMATE:

The City anticipates selecting approximately (5) firms with an estimated authorization amount of \$700,000 for each firm, for a total maximum authorization amount of \$3,500,000.

Compensation of individual project assignments will vary depending upon the scope of services required. Funding will come from the individual projects for which the services are provided. The City anticipates developing and executing a professional services agreement with each selected firm.

If a firm ceases practice during the contract period, or should the City elect to terminate its agreement with one of the selected firms, the remaining authorization will be distributed to one or more of the remaining firms.

FEDERAL AID-ASSURANCES:

Funding for this contract will be provided by the Environmental Protection Agency (EPA). The following will be required contract provisions and will be part of subsequent Work Assignments for all purposes:

1. Federal contracting provisions set forth in the Environmental Protection Agency's (EPA) Cooperative Agreement General Terms and Conditions, by year, available at:
<http://www.epa.gov/grants/grant-terms-and-conditions>.
 These terms and conditions are in addition to the assurances and certifications made as a part of a grant award and the terms, conditions, or restrictions cited throughout the award.
2. Office of Management and Budget (OMB) guidance Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards to Non-Federal Entities (subparts A through F of 2 CFR part 200 and 2 CFR Part 1500),
http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl
3. Appendix II to Part 200 – Contract Provisions for non-Federal Entity Contracts Under Federal Awards
4. Davis-Bacon Act prevailing wage requirements and associated U.S. Department of Labor (DOL) regulations for all construction, alteration and repair contracts and subcontracts awarded with funds provided under this agreement.

PROPOSED PROCUREMENT SCHEDULE

RFQ Issue Date: Monday, November 2, 2020
Pre-Response Meeting Date: Monday, November 9, 2020
Submittal Due Date: Wednesday, December 2, 2020
Anticipated Council Date: March 2021
Contract Execution: June 2021

ANTICIPATED SERVICES:

Consultant services which may be required include, but are not limited to:

All environmental services related to studies, sampling, testing, analyses, recommendations, designs, regulatory review and/or construction management for projects that may involve: environmental assessments; petroleum storage tank issues; site remediation; indoor and outdoor air quality monitoring and assessments; biological assessments; sustainability studies; noise surveys and studies relating to affordable housing projects funded by Department of Housing and Urban Affairs and/or Texas Department of Housing and Community Affairs; risk analysis; soil monitoring; surface water monitoring; groundwater monitoring; hazardous and non-hazardous waste analysis, transport and disposal; confirmation sampling, contaminant identification, delineation, and fate and transport modeling; monitoring well installation and groundwater gauging; site and monitoring well surveying; containerization, characterization, and appropriate disposal of investigation and remediation derived wastes; landfill gas and leachate monitoring, remediation; conducting mold, asbestos and lead-based paint inspections

and surveys; abatement services for mold, asbestos and/or lead-based paint; National Environmental Policy Act (NEPA) cultural and natural resource investigations; health and safety assessments or plans; air quality and other environmental permit development; Environmental Protection Agency All Appropriate Inquiries Rule Final Rule (40 CFR 312) and follow the appropriate ASTM standard such as E1527-13, E1528 – 14, E1903-19, E-2600-15

All services required for operating brownfields programs, that may involve: providing EPA AAI compliant Phase I Environmental Site Assessments (ESA) services that the City of Austin and 3rd party applicants can rely upon, Phase II ESAs and cleanup assistance; providing technical assistance regarding applicable federal rules and procedures; completing annual generic and site-specific Quality Assurance Project Plans and Field Sampling Plans; providing oversight and expert assistance of other contractors' work undertaken with the Revolving Loan Funds; program and strategic planning; providing community engagement, marketing and outreach assistance; providing assistance writing EPA grants; composing Brownfields Cleanup Alternatives (ABCA): evaluating cleanup alternatives, weighing the effectiveness of alternatives and implementation logistics, and providing a preliminary cost estimate for each alternative and recommending a cleanup alternative; providing technical assistance; functioning within and understanding EPA Brownfields Program rules, guidance and program operations.

Any properties or buildings owned by the City or to which the current owner has applied for assistance from the Brownfields Revitalization Office, and to which access has been secured, which asbestos containing materials (ACM); lead-containing paint and/or particulate and mold contamination have been identified, are within the scope of this agreement. CONTRACTOR performing work under this contract will be required to be a licensed asbestos, lead, and mold abatement CONTRACTOR.

Selected firms should be prepared to perform the following phases and tasks for various rotation list assignments. Not all of the following phases and tasks will be required on every rotation list assignment.

Phase A: Study and Report

- Phase I and II Environmental Site Assessments
- Asbestos, Lead-based paint, and/or mold surveys
- Noise Study
- Transaction Screening
- Provide advice and guidance
- Public Outreach and Community Engagement
- Develop EPA Cleanup and Assessment QAPPs and Assessment FSPs
- Provide notifications, as needed, to regulatory agencies
- Meeting Minutes

Phase B: Design Phase

- Cost estimating
- Cleanup Plan/Design development
- Obtain permits
- Scope definition and clarification
- Preparation and/or assist with bid documents
- Preparation of reports, as needed, to submit to the TCEQ or EPA
- Provide or perform existing conditions documents
- Feasibility / alternatives study

Phase D: Construction Phase

- Attend meetings
- Undertake remedial activities, as requested
- Prepare record drawings, diagrams, and maps, as directed
- Preparation of reports, as needed
- Conduct final walk through
- Meeting Minutes

Phase E: Post-Construction Phase

- Prepare record drawings, diagrams, and maps, as directed
- Preparation of reports, as needed, to submit to the TCEQ or EPA
- Conduct inspections for environmental compliance
- Meeting Minutes
- Status Reports

MAJOR AND OTHER SCOPES OF WORK:

Below is a list of the major scopes of work that the City has identified for this project. ****There must be representation for all major scopes of work listed in the prime's statement of qualifications.*** The experience of the firms listed to perform the Major Scopes of Work, whether a subconsultant or prime firm, will be evaluated under Consideration Item 6 – Major Scopes of Work – Comparable Project Experience.

In addition, the City has identified Other Scopes of work that MAY materialize during the course of the project. The City does not guarantee that the scopes listed under Other Scopes of work will materialize on this contract. If the prime consultant intends to enter into a subconsulting agreement on a scope of work not listed below, the prime consultant is required to contact SMBR and request an updated availability list of certified firms in each of the scopes of work for which the prime consultant intends to utilize a subconsultant.

*** Major Scopes of Work**

Environmental Consulting and
Assessment
Environmental Site Assessment
Remediation
Groundwater Monitoring
Lab and Field Testing Services
Asbestos, Lead, Mold Consulting

Other Scopes of Work

Boring, Drilling, Testing and Sounding
Biological Assessments
Noise surveys and abatement
Geotechnical-Soils
Environmental Impact Studies
Hydrological Services
Surveying
Field Inspection
Environmental Subsurface Testing
Air Testing and Monitoring
Solid Waste Disposal
Hazardous Waste Disposal
Outreach Services
Cost Estimating
Environmental Engineering

PERFORMANCE EXPECTATIONS

It is the goal of the City of Austin to decrease project timeframes with zero impact on the quality of work being performed. The selected consultants will be expected to:

- Employ licensed professionals such as Texas-licensed engineers, geologists, hydrologists, industrial hygienists, environmental managers, hazardous material managers, site assessors, laboratory technicians and field technicians.
- Provide the appropriate level of technical expertise to properly fulfill the anticipated services, and will include a senior-, mid-and junior-level staff to support ABRO staff.
 - All certified or registered with professionally recognized organizations and all experienced in their areas of specialty, including 40-hour Occupational Safety and Health Administration (OSHA) HAZWOPER training, as necessary.

- All applicable and required licenses, certifications and registrations must be current.
- Analytical laboratories to be capable of performing the required tests to support professionals engaged in environmental projects.
 - The laboratory services must be performed by a laboratory properly accredited in accordance with the International Standards Organization (ISO)/International Electrochemical Commission (IEC) Standard 17025.
 - The City will require evidence of such accreditation on an annual basis for the duration of the contract. The City shall be allowed to inspect or audit the laboratories upon request.
 - Environmental laboratories producing data for decisions relating to TCEQ permits, authorizations, compliance actions, enforcement actions, corrective actions, characterizations of an environmental processes or conditions, or assessments of an environmental processes or conditions must be accredited or certified according to Title 30, Texas Administrative Code, Chapter 25.
 - Environmental laboratories producing data for decisions related to DSHS authorizations, compliance actions, enforcement actions, corrective actions, characterizations of environmental processes or conditions, or assessments, must be accredited or certified according to Title 25, Texas Administrative Code Chapter 295. Laboratory must be currently recognized in the National Lead Laboratory Accreditation Program (NLLAP). Also, the laboratory must be a successful participant in the Environmental Lead Proficiency Analytical Testing Program (ELPAT).
- Selected firms will be experienced in contaminated soil and groundwater site investigations and remediation; environmental site assessments; ground and surface water monitoring; air quality monitoring; green and sustainable remediation methodologies, storm water management and control plans; and meeting state and federal data quality objectives.
- Selected firms will be knowledgeable of all applicable federal, state and city environmental regulations, including, but not limited to, City of Austin Land Development Code; Clean Air Act; Clean Water Act including National Pollutant Discharge Elimination Standards (NPDES) and Texas Pollutant Discharge Standards (TXPDES); Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); Resource Conservation and Recovery Act (RCRA); Endangered Species Act, Texas Commission on Environmental Quality (TCEQ) air regulations, Texas Risk Reduction Program (TRRP); National Emissions Standard for Hazardous Air Pollutants (NESHAP); Toxic Substances Control Act (TSCA); storm water management and control regulations; spill prevention, control and countermeasure plans; site remediation work plans, including TCEQ Voluntary Cleanup Programs; petroleum storage tank regulations; industrial and municipal solid waste regulations and permitting; City of Austin Asbestos, Lead, and Mold policies and best practices; and landfill monitoring and closure.

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- Selected firms or subconsultant must currently be licensed and/or certified per the following: Texas Asbestos Health Protection Rules; Texas Environmental Lead Reduction Rules; Texas Mold Assessment and Remediation Rules; Texas Civil Statutes, Article 4477-3a (or current Texas Regulation); Texas Department of State Health Service (TDSHS); EPA Repair Renovation and Painting (RRP) and contractors must remain in good standing with the TDSHS throughout the life of the contract.
 - Selected firms shall provide asbestos, lead and mold related consulting including, but not limited to inspection, damage assessment, risk assessment, design of abatement plans and specifications, on-site air monitoring, on-site project management of asbestos and lead based paint and mold remediation and operations, Operations & Maintenance, and response to emergency notifications.
 - Selected firms shall provide environmental investigations and assessments on behalf of the City of Austin and the third-party brownfields applicant, which comply with the applicable industry standards, including, but not limited to:
 - ASTM E1527-13 “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process” (or most recent version);
 - ASTM E1903-19 “Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process” (or more recent version);
 - ASTM E2600-15 “Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions” (or more recent version); and
 - ASTM E1528-14 “Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process” (or more recent version).
 - Selected firms will have the capability to develop environmental construction drawings and specifications, and prepare construction cost estimates. In addition, the firms must have the capability to prepare independent fee estimates for environmental services on federally-funded projects.
 - The City expects the selected firms to have emergency response capability. This capability would be for rapid-response professional consulting services that may be needed to address environmental emergencies.

CONTRACTING AND ASSIGNMENT PROCESS

- Once a firm is selected to participate on a Rotation list and after Austin City Council approves – all selected firms will be invited to the Contract Kick-Off meeting to begin execution of their Professional Service Agreement (PSA).
- After a firm’s PSA is executed, the firms will be placed in rotation for an assignment
- The Capital Contracting Office (CCO) Rotation List Manager receives the assignment request from the City of Austin Project Manager and issues an assignment letter to the consultant. The consultant will have the opportunity to accept or reject the assignment.

After assignment acceptance, the consultant works with the Project Manager and provides a fee proposal for the assignment. After the Project Manager accepts the fee proposal, the Rotation List Manager issues the Notice to Proceed (NTP) to the consultant.

- The order of assignments on the FIRST pass will be ranked as shown in the order of the evaluation matrix. There may be exceptions to this based on the City's needs to expedite assignments and/or delays in PSA execution.
- The SECOND and subsequent passes will be sorted and ranked in order of each Consultant's highest remaining authority – that being – the firm with highest remaining authority will be receiving the first assignment for that pass.
- Towards the end of a rotation list CCO may make assignments out of the usual methodology in the best interest of the City by re-allocating a firm's remaining authority.
- No work shall be authorized prior to receipt of a formal, written NTP. City of Austin Project Managers do not have the authority to authorize additional or subsequent phase work prior to the formal, written NTP. Consultants who choose on their own to perform work ahead of the NTP and/or outside of their scope and budget are doing so solely at their own risk.
- The City may, however, select a firm that is felt to be the most qualified for a specific project or most able to meet a project's schedule objectives. Project-specific schedules will be agreed upon at the time professional services are defined.

Notes:

- Construction Inspection and Public Information and Communications are **NOT** subconsultant opportunities. These services will be performed in-house or under a separate contract, if needed, and will be determined when project assignment is made.
- Participation at the prime or subconsultant level may create a conflict of interest and thus necessitate exclusion from future contracting opportunities with the City.
- If the City determines that a conflict of interest exists at the prime or subconsultant level, the City reserves the right to replace/remove the prime or instruct the prime consultant to remove the subconsultant with the conflict of interest and to instruct the prime consultant to seek a post-award change to the prime consultant's compliance plan as described in City Code § 2-9B-23. Such substitutions will be dealt with on a case-by-case basis and will be considered for approval by Small and Minority Business Resources (SMBR) in the usual course of business. The City's decision to remove a prime or subconsultant because of a conflict of interest shall be final.

- A consultant performance evaluation will be performed on all professional services contracts. This evaluation will be conducted at the end of each Design and Construction phase, or at assignment completion for those projects with no distinct phases (i.e., surveying, SUE services, etc.).